

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JAIME L. HIGEL,)	
)	
Petitioner,)	8:16CV261
)	
V.)	
)	
SCOTT R. FRAKES, and DENISE)	MEMORANDUM AND ORDER
SCROBECKI,)	
)	
Respondents.)	
)	

Petitioner filed a Petition for Writ of Habeas Corpus (Filing No. [1](#)) and a Motion for Leave to Proceed in Forma Pauperis (Filing No. [2](#)). Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 filing fee. [28 U.S.C. § 1914\(a\)](#). However, after considering Petitioner's financial status as shown in the records of this court (see inmate trust account statement at Filing No. [5](#)), provisional leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the filing fee at this time. *See [28 U.S.C. § 1915\(a\)\(1\)](#).*

IT IS THEREFORE ORDERED that: Petitioner's Motion for Leave to Proceed in Forma Pauperis (Filing No. [2](#)) is granted. The next step in this case is for the court to conduct a preliminary review of the habeas corpus petition in accordance with Rule 4 of the Rules Governing Section 2254 cases. The court will conduct this review in its normal course of business.

DATED this 5th day of August, 2016.

BY THE COURT:

S/ *Richard G. Kopf*
Senior United States District Judge